

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

KEVIN JOHNSON,)
Plaintiff,)
, v.) Civil Action No. 3:24cv00080-HEH
VIRGINIA DEPARTMENT OF)
CORRECTIONS, *et al.*,)
Defendants.)
/

AGREEMENT

This Agreement is entered into by the Plaintiff, Kevin Johnson (#1007485) ("Plaintiff"), and the Virginia Department of Corrections, and is for the purpose of Mr. Johnson ending his hunger strike. Pursuant to this Agreement, the Parties agree as follows:

VDOC agrees to transfer Mr. Johnson to Greensville Correctional Center in exchange for Mr. Johnson immediately ending his hunger strike and refeeding. Mr. Johnson will remain there for 9-month probationary period provided Mr. Johnson materially abides by VDOC and facility rules and regulations. Failure to do so will constitute a breach of this agreement and Mr. Johnson may be subject to transfer to any correctional facility the Department determines to be appropriate. At or about 9-months, Mr. Johnson will remain at Greensville Correctional Center, subject to the continued operation of the facility, as long as Mr. Johnson remains of good behavior.

Any disciplinary charges incurred by Mr. Johnson that have not yet been served or adjudicated as of the date of this agreement will be held in abeyance for the 9-month probationary period. Mr. Johnson agrees to waive all due process requirements as to the timing of service of the charges during the pendency of the probationary period. If Mr. Johnson successfully completes the probationary period, all charges for 200 series disciplinary offenses as defined in Virginia Department of Corrections Operating Procedure 861.1 and its attachments will be dismissed.

Mr. Johnson will be allowed to obtain his tablet after he sincerely demonstrates that he is engaging in the refeeding process for three (3) days.

Mr. Johnson will be provided immediate access to writing materials. He will be allowed access to stamps and envelopes as soon as medical determines it is safe for him to do so. He will be permitted visitation and access to telephone the same as anyone in his status level. Additionally, he will have the ability to step down to general population status after his temporal medical status is completed provided that he follows the institution's prescribed rules. Mr.

Johnson will be granted access to his glasses as soon as possible, as well as the rest of his property as he is allowed at his status level.

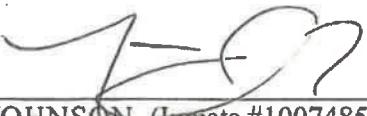
As a mechanism of ensuring successful compliance of this agreement, VDOC agrees to notify Mr. Johnson's Counsel, Mark Krudys (by telephone at 804-306-6435), of perceived material breaches of applicable rules by Mr. Johnson within seventy-two (72) hours or as soon as practicable, so that counsel may attempt to reach a resolution in the matter.

Mr. Johnson is permitted an in-person visit with Brittany Purtee on Saturday, March 9, 2024, from 1:30 to 3:30 pm pursuant to all rules governing in-person visitation.

Mr. Johnson has been on single-cell status since 1993. He is not acclimated to a double-cell assignment. VADOC will continue his single-cell status going forward.

Any other agreement or consent order previously entered into is mooted by this agreement.

SO AGREED BY:


KEVIN JOHNSON, (Inmate #1007485)
PLAINTIFF

3 - 5 - 24

Date


MARK J. KRUDYS, VSB #30718
DANNY ZEMEL, VSB #95073
The Krudys Law Firm, PLC
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(Counsel for Plaintiff)

3 - 6 - 2024

Date

MIRIAM R. NEMETH (admitted *pro hac vice*)
SAMUEL WEISS (admitted *pro hac vice*)
Rights Behind Bars
416 Florida Avenue, NW #26152
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E-mail: Miriam or sam@rightsbehindbars.org
(Counsel for Plaintiff)

Date



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(Counsel for Defendants)

3-7-2024

Date